

CHARGE: 402(a)(2)—the article, when shipped, contained glass, an added deleterious substance, which is unsafe within the meaning of 406(a) since it is not required in the production of the article and can be avoided by good manufacturing processes.

DISPOSITION: 4-3-58. Default—destruction.

24829. Red pepper hulls. (F.D.C. No. 41489. S. No. 3-675 P.)

QUANTITY: 15 barrels, 350 lbs. each, at Baltimore, Md.

SHIPPED: Between 2-4-58 and 2-20-58, from Marydel, Del., by H. P. Cannon & Son, Inc.

LIBELED: 3-26-58, Dist. Md.

CHARGE: 402(a)(3)—contained insects, insect parts, insect eggs, and rot; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 4-24-58. Default—destruction.

### TOMATO PRODUCTS\*

24830. Tomato puree. (F.D.C. No. 41593. S. No. 15-062 P.)

QUANTITY: 361 cases, 48 cans each, at Nashville, Tenn.

SHIPPED: 10-26-57, from Elwood, Ind., by Orestes Canning Co., Inc.

LABEL IN PART: (Can) "Big Brother Tomato Puree Contents 10½ Oz."

LIBELED: 2-21-58, M. Dist. Tenn.

CHARGE: 403(g)(1)—when shipped, the article failed to conform to the definition and standard of identity for tomato puree since it contained less than 8.37 percent of salt-free tomato solids.

DISPOSITION: 4-9-58. Consent—claimed by Orestes Canning Co., Inc. Segregated; 55 cases of the article, which were found below standard but fit for food, were delivered to charitable organizations.

24831. Tomato juice. (F.D.C. No. 41344. S. No. 83-995 M.)

QUANTITY: 1,082 cases, each containing 12 cans, at Collinsville, Ill.

SHIPPED: 9-27-57, from Galveston, Ind., by Orestes Canning Co., Inc.

LABEL IN PART: (Can) "Brooks Tomato Juice."

LIBELED: 1-9-58, S. Dist. Ill.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 4-1-58. Default—destruction.

24832. Tomato paste. (F.D.C. No. 41343. S. No. 67-909 M.)

QUANTITY: 60 6-lb. 15-oz. cans at Wichita, Kans.

SHIPPED: 5-19-56, from Clearfield, Utah.

LIBELED: 1-16-58, Dist. Kans.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale.

DISPOSITION: 3-10-58. Default—destruction.

24833. Tomato catsup. (F.D.C. No. 40956. S. No. 36-456 M.)

QUANTITY: 97 cases, 24 14-oz. btls each, at Detroit, Mich.

SHIPPED: 9-23-57, from Elwood, Ind., by Fettig Canning Corp.

\*See also No. 24814.

**LABEL IN PART:** (Btl.) "Vine-Ripe \* \* \* Tomato Catsup."

**LIBELED:** On or about 11-25-57, E. Dist. Mich.

**CHARGE:** 402(a)(3)—contained decomposed tomato material when shipped.

**DISPOSITION:** 1-24-58. Default—destruction.

**24834. Tomato catsup.** (F.D.C. No. 41601. S. No. 15-178P.)

**QUANTITY:** 285 cases, 24 14-oz. btls. each, at Youngstown, Ohio.

**SHIPPED:** 1-21-58, from Elwood, Ind., by Fettig Canning Corp.

**LABEL IN PART:** (Btl.) "Mary's Choice Tomato Catsup."

**LIBELED:** 2-26-58, N. Dist. Ohio.

**CHARGE:** 402(a)(3)—contained decomposed tomato material when shipped.

**DISPOSITION:** 4-4-58. Default—destruction.

## NUTS

**24835. Unshelled almonds.** (F.D.C. No. 41241. S. No. 73-714 M.)

**QUANTITY:** 120 cases, 24 1-lb. bags each, at Denver, Colo.

**SHIPPED:** 9-27-57, from Sacramento, Calif., by California Almond Growers Exchange.

**LABEL IN PART:** (Case) "Almonds Blue Diamond Brand"; (bag) "California Softshell Almonds."

**LIBELED:** 12-20-57, Dist. Colo.

**CHARGE:** 402(a)(3)—contained insects, insect-infested nuts, and decomposed nuts when shipped.

**DISPOSITION:** 1-13-58. Consent—claimed by California Almond Growers Exchange. The almonds were shelled and examined, resulting in the destruction of 74 lbs. of nut meats and 1,573 lbs. of shells.

**24836. Unshelled pecans.** (F.D.C. No. 41227. S. No. 82-339 M.)

**QUANTITY:** 76 crates, 36 1-lb. bags each, at New Orleans, La.

**SHIPPED:** Between 11-14-57 and 11-20-57, from Picayune and Natchez, Miss.

**RESULTS OF INVESTIGATION:** The above-mentioned shipment consisted of pecans in bulk which, upon receipt at New Orleans, were repackaged and labeled by the consignee.

**LIBELED:** 12-12-57, E. Dist. La.

**CHARGE:** 402(a)(3)—contained moldy, rancid, and shriveled nuts, and empty shells while held for sale.

**DISPOSITION:** 1-17-58. Default—destruction.

**24837. Unshelled brazil nuts.** (F.D.C. No. 41222. S. Nos. 82-690/1 M.)

**QUANTITY:** 15 25-lb. bags and 13 100-lb. bags at Cincinnati, Ohio.

**SHIPPED:** Between 10-25-57 and 11-8-57, from New York, N.Y., by William A. Camp Co., Inc.

**LABEL IN PART:** "American Beauty \* \* \* Brazil Nuts" and "Tropical Brand American Beauty \* \* \* Brazil Nuts."

**LIBELED:** 12-9-57, S. Dist. Ohio.

**CHARGE:** 402(a)(3)—contained decomposed nuts when shipped.

**DISPOSITION:** 1-29-58. Default—consumption by animals.